



TOWN OF KNIGHTDALE

PLANNING DEPARTMENT

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ORD #12-3-21-002
AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE
OF THE TOWN OF KNIGHTDALE,
REGARDING TECHNICAL EDITS AND CLARIFICATIONS OF INTENT FOR CHAPTERS 12 & 13

WHEREAS, the Town of Knightdale has received a petition to comprehensively amend Chapter 12 (Signs) and Chapter 13 (Nonconformities) of the Unified Development Ordinance with technical edits for consistency of language and referencing, clarifications of intent and interpretation, further definition of broad terms, addition of exemplary graphics and photos, and the removal of redundant text. The application includes the amendment of other remaining chapters of the Unified Development Ordinance affected by the proposed amendments to chapters 12 and 13, such as updating code section references and locations as well as adding/amending definitions (Chapter 19) for consistency; and

WHEREAS, the Town of Knightdale Unified Development Ordinance Section 15.15 establishes uniform procedures for amending the text of the Ordinance; and

WHEREAS, the proposed zoning text changes comply with the goals of the Town's Comprehensive Plan because they are reasonable in that they advance the stated objectives of enhancing the 'sense of place' and preserving the local character of Knightdale as well as promoting a built environment that blends vernacular form with efficient function by improving the clarity and consistency of the UDO's language and formatting regarding signage (*the one site and design element most often associated with 'place'*) and nonconformities (*which addresses how the Town may allow the adaptation of older designs to newer functions*); and

WHEREAS, the proposed zoning text changes are furthermore consistent with the Comprehensive Plan's stated goal of providing responsible urban design, planning and development and protection of the Town's historic and cultural resources;

NOW, THEREFORE BE IT ORDAINED by the Town Council of the Town of Knightdale, North Carolina:

SECTION 1. That the Unified Development Ordinance of the Town of Knightdale Code be amended to read as follows (*editing notes in parenthetical italics*):

(*See Attachments for Chapters 12 & 13*)

Section 3.3YY. Wireless Telecommunication Facility – Towers (RR*, MI) *Special Use (2.3C(8)d)

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7. A property identification sign (Section 12.4F) shall be displayed in a visible location near the tower. The purpose of the sign is for use by law enforcement departments to contact the company operating the equipment in the event of an emergency. The sign shall contain a number to be assigned to the company and a telephone number for 24-hour emergency contact. No other signs shall be permitted on the facility.

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Section 8.2 Applicability

A. Expansions and Changes of Use: These regulations shall apply to all newly developed properties as well as changes of use, expansions which increase the gross heated square footage of an existing building by more than 25%, and expansions of vehicle accommodation areas by more than 25% (Section 13.11).

Section 8.11C Performance Standards for Additional Space:

3. Re-planted Areas: (*125% of calculated additional space needed*) If not directly adjacent to NRBs or landscape buffer yards, each re-planted tree cover area must be at least 2,500 square feet with no dimension less than 50 feet wide. To qualify, trees must meet the standards for new plantings as found in Section 8.4G, and the area must be vegetated with three (3) canopy trees and five (5) understory trees per 500 square feet.

Chapter 19

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Arm: A mounting device which projects from a wall and attaches to a sign.

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Banner: A sign of a business or organization which is temporary in nature and not part of its normal activities. Such a sign shall be limited to business events such as grand openings, going-out-of-business sales, promotions, liquidations and sales; as well as fund-raising membership drives or events of civic, philanthropic, educational, religious and other non-profit organizations.

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Billboard: A common term for certain types of off-premise signs. Also, sometimes referred to as an "outdoor advertising sign".

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Copy: Any message consisting of words, letters, numbers, characters and/or symbols, that is displayed on a sign.

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Logo: A design displayed on a sign that may incorporate insignia, symbols, characters, letters, words and figures in order to represent a good, identity or service.

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Mural: A painting on a building wall containing very limited commercial copy.

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Nonconforming: A lot, structure (*including buildings, wireless telecommunication towers, manufactured homes*), sign, plan, street frontage, landscaping, screening, lighting, or use of land or structure, which does not meet the regulations and requirements of this Ordinance (*either by adoption of this Ordinance or a subsequent amendment*) but was lawful at the date on which it was established or became lawful at some later date.

Lot, Nonconforming: See "Nonconforming".

Structure, Nonconforming: See "Nonconforming".

Use, Nonconforming: See "Nonconforming".

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(*Outdoor Advertising Signs definition removed*)

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(*Sign, Advertising definition removed*)

Sign, Animated: A sign depicting action, motion, light or color changes through electrical or mechanical means, as well as those with flashing or reflective disks, flashing lights, lights with changing degrees of intensity.

Sign, Awning: A type of wall sign that is printed on or similarly attached to a window or door awning, or mounted on top of and supported by a window or door canopy (*marquee*).

(Sign, Conforming definition removed)

Sign, Construction Site Identification: A single sign giving the name or names of building owners, architects, engineers, and/or lending institutions and principal contractors responsible for construction on the site where the sign is placed, together with other appropriate information included thereon.

Sign, Election: A sign advertising a candidate or an issue that is to be decided in an upcoming election or referendum.

Sign, Flashing: See "*Sign, Animated*".

Sign, Government: A sign posted by a local, state or federal agency, including, but not limited to, regulatory signs, welcome signs, seasonal signs, legal notices, identification signs, informational signs and traffic control signs.

Sign, Incidental: A sign which carries no advertising message, is clearly incidental to other major signs on site, and is used to do one or more of the following:

- (a) Direct certain activities to certain areas; e.g., handicapped parking.
- (b) Prohibit the parking of unauthorized vehicles.
- (c) Provide other incidental information.

Sign, Monument: Any monolithic sign in which the bottom (*base*) of the sign is flush with the ground, and the base itself is at least 10 percent (10%) wider than the body of the sign.

Sign, Neighborhood/Campus Entrance: A sign for a subdivision, group housing project, or a school, college, building, park, church, or other public or quasi-public facility, bearing information pertaining only to the premises on which such sign is located and not of a commercial nature.

Sign, Nonconforming: See "*Nonconforming*".

Sign, Off-Premise: Any sign or structure, pictorial or otherwise, regardless of size or shape, which directs attention to a business, commodity, attraction, profession, service, or entertainment conducted, offered, sold, manufactured, existing, or provided at a location other than on the premises where the sign is located or to which it is affixed.

Sign, Off-Premise Directional: A real estate sign containing limited information pertaining to the consumer's ability to locate the facility for sale, rent, lease or development.

Sign, On-Premise: Any sign or structure, pictorial or otherwise, regardless of size or shape, which directs attention to a business, commodity, attraction, profession, service, or entertainment conducted, offered, sold, manufactured, existing, or provided at a location on the premises where the sign is located or to which it is affixed.

(Sign, Painted wall definition removed)

(Sign, Parapet sign definition removed)

Sign, Pole: A free-standing sign with a visible support structure such as a pole(s) or pylon, or with a support structure hidden by a pole cover.

Sign, Portable: A sign designed or intended to be relocated from time to time, whether or not it is permanently attached to a building or structure, or is located on the ground. The term includes signs on wheels or on portable structures, such as tent signs, A-frame, or T-shaped signs and similar devices, and airborne signs.

Sign, Projecting: A specific type of wall sign which extends outward for more than twelve (12) inches from the facade of any building, but does not extend above the soffit, parapet or eave line of the building to which it is rigidly affixed.

Sign, Property Identification: A sign bearing information pertaining only to the premises on which such sign is located (*property identification/address numbers, post office box numbers, names of occupants, etc.*) and not of a commercial nature.

(Sign, Pylon sign definition removed)

Sign, Real estate sign: A sign located on the premises and offering the premises for sale, rent or lease.

Sign, Roof: A sign erected, constructed, placed, or maintained upon the roof of any building.

Sign, Sandwich Board: A portable A-frame sign constructed with two faces which rest on the ground at an angle less than 45 degrees to each other.

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Sign, Under Awning: A sign which is suspended from the under-side of a canopy or awning.

Sign, Wall: A sign erected parallel to and extending not more than twelve (12) inches from the facade of any building or yard wall (*Section 4.7*) to which it is attached, and supported throughout its entire length by the building or yard wall face. It may not extend above the roof line. This type is also known as a flat sign or flat wall sign.

Sign, Window: A sign placed or painted on the interior or exterior of a building's glass windows or doors.

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Wall Art: See "Mural".

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SECTION 2. That all laws and clauses of law in conflict herewith are hereby repealed to the extent of said conflict.

SECTION 3. That if this ordinance or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions of this ordinance which can be given separate effect and to the end the provisions of this ordinance are declared to be severable.

SECTION 4. That this ordinance has been adopted following a duly advertised public hearing of the Town Council and following review and recommendation by the Land Use Review Board.

SECTION 5. That this ordinance shall be enforced as provided in G.S. 160A-175 or as provided for in the Knightdale Town Code.

SECTION 6. That this ordinance shall become effective upon its adoption by Town Council.

Adopted this 21st day of March, 2012.

Russell B. Killen, Mayor

ATTEST:

Suzanne M. Yeatts, Town Clerk

APPROVED AS TO FORM:

Clyde Holt, III; Town Attorney